

KELLOGG, HUBER, HANSEN, TODD, EVANS & FIGEL, P.L.L.C.

SUMNER SQUARE
1615 M STREET, N.W.
SUITE 400
WASHINGTON, D.C. 20036-3209

(202) 326-7900

FACSIMILE:
(202) 326-7999

February 3, 2014

Ms. Julie Veach
Chief, Wireline Competition Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Mr. Jonathan Sallet
General Counsel
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Electronically Filed

Re: CC Docket No. 95-116; WC Docket No. 07-149; WC Docket No. 09-109

Dear Ms. Veach and Mr. Sallet:

I write on behalf of Neustar, Inc., in response to a January 30, 2014, filing by counsel for Ericsson (Telcordia), which asserts an urgent and compelling need to restore transparency and fairness to the LNPA selection process.

We agree. Ericsson's suggested remedy – a revised timeline – is, however, insufficient because the process utilized to date has been flawed.

The public interest will be best served by transparent, consistent and equal application of criteria effectuating the statutory mandate for portability and neutrality and the dictates of the Administrative Procedure Act. A proper LNPA selection process will result in the most advantageous solution for industry and consumers.

Toward that end, the most pressing issue for the Commission's consideration is the response of the NAPM, LLC, to Neustar's request that the FoNPAC seek additional proposals from all offerors. As I explained in my letter to you of January 15, 2014, Neustar informed the FoNPAC on October 21, 2013, that it was prepared to improve on its previous submission, and

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accordingly requested that the FoNPAC give all offerors the opportunity to submit revised proposals. As Neustar has disclosed, on January 21, 2014, the NAPM informed Neustar that it would not consider the revised proposal that Neustar submitted. The NAPM did not, however, address Neustar's request to seek additional proposals from all qualified offerors.

It is time for the Commission to intervene. No one – including Ericsson – has ever asserted that the FoNPAC is barred from seeking additional proposals from all offerors, so long as all offerors have an equal opportunity to participate in such a new round of proposals. My January 15 letter lays out some of the reasons of law and policy that such an additional round is both permitted and appropriate in this case. To the extent that there is any doubt about the consistency of such a course with the Commission's policies or other governing rules, the Commission should issue a public notice and seek comment from all interested parties on the issue. That will ensure that any decision about whether to extend the proposal process will be the defensible product of lawful administrative decisionmaking.

With regard to Ericsson's request that the Commission direct the FoNPAC to post publicly a further revised timeline, the Commission should resolve the question whether there should be an additional round of offers before any such timeline is issued. We also submit that the Commission should direct the FoNPAC to receive such additional proposals. The publication of a new timeline that fails to address these issues would be no more than a blatant end-run around lawful administrative procedure and the dictates of transparency and fairness in the LNPA selection process.

I request a meeting to discuss these procedural issues with you at your earliest opportunity.

Respectfully submitted,


Aaron M. Panner

cc: Honorable Geoffrey Why
Ms. Ann Berkowitz
Ms. Tiki Gaugler
Mr. Tim Decker
Mr. Tim Kagele
Todd Daubert, Esq.
Dan Sciullo, Esq.
John Nakahata, Esq.